

# Daily Digest

## HIGHLIGHTS

Senate agreed to the Conference Report to accompany S. 2845, National Intelligence Reform Act.

Senate agreed to the Conference Report to accompany H.R. 4548, Intelligence Authorization Act.

Senate agreed to H. Con. Res. 531, providing for the sine die adjournment of the second session of the One Hundred Eighth Congress.

## Senate

### Chamber Action

*Routine Proceedings, pages S11937–S12087*

**Measures Introduced:** Three bills and three resolutions were introduced, as follows: S. 3033–3035, and S. Res. 485–487. **Page S12068**

#### Measures Passed:

***Relative to the Death of J. Stanley Kimmitt:*** Senate agreed to S. Res. 486, relative to the death of J. Stanley Kimmitt, Former Secretary of the Senate. **Pages S12017–18**

***Microenterprise Results and Accountability Act:*** Senate passed H.R. 3818, to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, clearing the measure for the President. **Page S12018**

***Private Relief:*** Senate passed S. 3034, for the relief of Susan Overton Huey. **Page S12018**

***Wilderness Act Anniversary:*** Committee on Energy and Natural Resources was discharged from further consideration of S. Res. 387, commemorating the 40th Anniversary of the Wilderness Act, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Pages S12018–19**

Frist (for Bingaman/Feingold) Amendment No. 4087 (to the preamble), to add additional history relating to the wilderness. **Pages S12018–19**

***Atomic Energy Act of 1954 Recognition:*** Committee on Environment and Public Works was discharged from further consideration of S. Con. Res. 151, recognizing the essential role that the Atomic

Energy Act of 1954 has played in development of peaceful uses of atomic energy, and the resolution was then agreed to. **Page S12019**

***Kilauea Point National Wildlife Refuge Expansion Act:*** Committee on Environment and Public Works was discharged from further consideration of H.R. 2619, to provide for the expansion of Kilauea Point National Wildlife Refuge, and the bill was then passed, clearing the measure for the President. **Page S12019**

***Junk Fax Prevention Act:*** Senate passed S. 2603, to amend section 227 of the Communications Act of 1934 (47 U.S.C. 227) relating to the prohibition on junk fax transmissions, after agreeing to the following amendment proposed thereto: **Page S12020**

Frist (for McCain/Cornyn) Amendment No. 4086, in the nature of a substitute. **Page S12020**

***Castillo de San Marcos National Monument Boundary Adjustment Act:*** Committee on Energy and Natural Resources was discharged from further consideration of H.R. 2457, to authorize funds for an educational center for the Castillo de San Marcos National Monument, and the bill was then passed, clearing the measure for the President. **Page S12020**

***Everglades National Park Land Exchange:*** Senate passed H.R. 3785, to authorize the exchange of certain land in Everglades National Park, clearing the measure for the President. **Page S12020**

***U.S. Justices Judges Salary Adjustments:*** Senate passed H.R. 5363, to authorize salary adjustments for Justices and judges of the United States for fiscal year 2005, clearing the measure for the President. **Page S12020**

**American Bald Eagle Recovery and National Emblem Commemorative Coin Act:** Senate passed H.R. 4116, to require the Secretary of the Treasury to mint coins celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies and the great importance of the designation of the American bald eagle as an "endangered" species under the Endangered Species Act of 1973, clearing the measure for the President.

Pages S12020–21

**Ukraine Elections:** Senate agreed to S. Res. 487, expressing the sense of the Senate regarding the November 21, 2004, Presidential runoff election in Ukraine.

Page S12021

**Private Relief:** Committee on the Judiciary was discharged from further consideration of H.R. 530, for the relief of Tanya Andrea Goudeau, and the bill was then passed, clearing the measure for the President.

Page S12021

**Sudden Oak Death Syndrome Control:** Senate passed H.R. 4569, to provide for the development of a national plan for the control and management of Sudden Oak Death, a tree disease caused by the fungus-like pathogen *Phytophthora ramorum*, clearing the measure for the President.

Page S12026

**Sudden Oak Death Syndrome Control Act:** Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of S. 2575, to direct the Secretary of Agriculture to conduct research, monitoring, management, treatment, and outreach activities relating to sudden oak death syndrome and to convene regular meetings of, or conduct regular consultations with, Federal, State, tribal, and local government officials to provide recommendations on how to carry out those activities, and the bill was then passed.

Pages S12026–27

**District of Columbia Retirement Protection Improvement Act:** Senate passed H.R. 4657, to amend the Balanced Budget Act of 1997 to improve the administration of Federal pension benefit payments for District of Columbia teachers, police officers, and firefighters, clearing the measure for the President.

Pages S12027–28

**Anticounterfeiting Act:** Committee on the Judiciary was discharged from further consideration of S. 2227, to prevent and punish counterfeiting and copyright piracy, and the bill was then passed.

Pages S12028–29

**Anti-Counterfeiting Amendment Act:** Committee on the Judiciary was discharged from further consideration of H.R. 3632, to prevent and punish counterfeiting of copyrighted copies and

phonorecords, and the bill was then passed, clearing the measure for the President.

Page S12029

**Eisenhower Exchange Fellowship Program Trust Fund Enhancement Act:** Committee on Foreign Relations was discharged from further consideration of H.R. 2121, to amend the Eisenhower Exchange Fellowship Act of 1990 to authorize additional appropriations for the Eisenhower Exchange Fellowship Program Trust Fund, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Page S12029

Frist (for Roberts) Amendment No. 4088, to remove a fiscal year limitation from an authorization of appropriations.

Page S12029

**Arrow Components Taxation:** Senate passed H.R. 5394, to amend the Internal Revenue Code of 1986 to modify the taxation of arrow components, clearing the measure for the President.

Page S12029

**Public Health Service Act Amendment:** Senate passed H.R. 5204, to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs, clearing the measure for the President.

Page S12029

**University of Miami Marine Life Science Center:** Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 4027, to authorize the Secretary of Commerce to make available to the University of Miami property under the administrative jurisdiction of the National Oceanic and Atmospheric Administration on Virginia Key, Florida, for use by the University for a Marine Life Science Center, and the bill was then passed, clearing the measure for the President.

Page S12029

**Commercial Space Launch Amendments Act:** Senate passed H.R. 5382, to promote the development of the emerging commercial human space flight industry, clearing the measure for the President.

Page S12029

**Enhance 911 Act:** Senate passed H.R. 5419, to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users; to improve, enhance, and promote the Nation's homeland security, public safety, and citizen activated emergency response capabilities through the use of enhanced 911 services, to further upgrade Public Safety Answering Point capabilities and related functions in receiving E-911 calls, and to support in the construction and operation of a ubiquitous and reliable citizen activated system; and

to provide that funds received as universal service contributions under section 254 of the Communications Act of 1934 and the universal service support programs established pursuant thereto are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act, for a period of time, clearing the measure for the President. **Page S12083**

**Sine Die Adjournment:** Senate agreed to H. Con. Res. 531, providing for the sine die adjournment of the second session of the One Hundred Eighth Congress. **Page S12083**

**National Intelligence Reform Act Conference Report:** By 89 yeas to 2 nays (Vote No. 216), Senate agreed to the conference report to accompany S. 2845, to reform the intelligence community and the intelligence and intelligence-related activities of the United States Government, clearing the measure for the President. **Pages S11939–S12010**

**Intelligence Authorization Act Conference Report:** Senate agreed to the conference report to accompany H.R. 4548, to authorize appropriations for fiscal year 2005 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, clearing the measure for the President. **Page S12020**

**Authorizing Leadership to Make Appointments—Agreement:** A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S12022**

**Signing Authority—Agreement:** A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page S12022**

**Nominations Confirmed:** Senate confirmed the following nominations:

Susan Johnson Grant, of Virginia, to be Chief Financial Officer, Department of Energy.

William Sanchez, of Florida, to be Special Counsel for Immigration-Related Unfair Employment Practices for a term of four years.

Veronica Vargas Stidvent, of Texas, to be an Assistant Secretary of Labor. (Prior to this action, Committee on Health, Education, Labor and Pensions was discharged from further consideration).

Karen Alderman Harbert, of the District of Columbia, to be an Assistant Secretary of Energy (International Affairs and Domestic Policy). (Prior to this action, Committee on Energy and Natural Resources was discharged from further consideration).

John S. Shaw, of the District of Columbia, to be an Assistant Secretary of Energy (Environment, Safety and Health). (Prior to this action, Committee on Energy and Natural Resources was discharged from further consideration).

Routine lists in the Foreign Service. (Prior to this action, Committee on Foreign Relations was discharged from further consideration). **Page S12087**

#### Nominations Returned to the President:

**Pages S12084–12087**

Messages From the House: **Pages S12060–61**

Measures Referred: **Page S12061**

Executive Communications: **Pages S12061–68**

Additional Cosponsors: **Page S12068**

Statements on Introduced Bills/Resolutions: **Pages S12068–71**

Additional Statements: **Pages S12052–60**

Amendments Submitted: **Page S12071**

Privilege of the Floor: **Page S12083**

**Record Votes:** One record vote was taken today. (Total—216) **Page S12010**

**Adjournment:** Senate met at 9:30 a.m., and, in accordance with the provisions of H. Con. Res. 531, adjourned sine die at 10:54 p.m., on Wednesday, December 8, 2004, until 12 noon, on January 4, 2005.

### Committee Meetings

No committee meetings were held.